



**U.S. Department of Justice**

*United States Attorney  
District of the Virgin Islands*

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September 19, 2003

**PRESS RELEASE**

**FOR IMMEDIATE RELEASE**

**WINSTON HERBERT INDICTED FOR  
UNLAWFUL FIREARM POSSESSION IN VIOLATION OF  
TERRITORIAL COURT DOMESTIC VIOLENCE RESTRAINING ORDER**

United States Attorney David M. Nissman announced today that a federal grand jury on St. Thomas returned an indictment charging **WINSTON HERBERT**, 33, with unlawful possession of a firearm.

The indictment alleges that Winston Herbert possessed a firearm after having been subject to a Territorial Court order restraining him from such possession.

Attorney Nissman stated that "the significance of this case in arresting the proliferation of guns cannot be overstated in our community. It is the first such case to be prosecuted in this district." He further stated that "those who have come under the protection of any Court through that Court's restraining orders should not fear reprisal from those subject to that Court's order who choose unlawfully to possess

a firearm.” He concluded by stating that “all residents of the Virgin Islands should feel some level of comfort in the knowledge that they can find relief in a judicial system where its orders will be vigorously enforced by law enforcement authorities.

Unlawful Possession of a Firearm carries a maximum penalty of ten (10) years imprisonment and a maximum fine of \$250,000.

United States Attorney Nissman issued a reminder that all the defendants charged, in this or any other criminal case, are presumed innocent unless and until proven guilty in court. Attorney Nissman commended the Federal Bureau of Investigation (FBI) Safe Streets Task Force for its investigation of this case.

Individual Indicted

**WINSTON HERBERT**

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES OF AMERICA,

Plaintiff,

v.

WINSTON HERBERT

Defendant.

Crim No. 2003-144

INDICTMENT

18 U.S.C. § 922: Unlawful  
Possession of a Firearm

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The Grand Jury charges:

COUNT 1


On or about August 8, 2003, in St. Thomas, in the District  
of the Virgin Islands, the defendant,

WINSTON HERBERT,

did knowingly and intentionally possess in and affecting commerce  
a firearm and ammunition, and receive a firearm and ammunition  
which had been shipped and transported in interstate commerce,  
after having been subject to a court order restraining the  
defendant from such possession and receipt.

In violation of Title 18, United States Code, Sections 922 and 2.

A TRUE BILL

  
FOREPERSON

  
ASSISTANT U.S. ATTORNEY

DISTRICT OF THE VIRGIN ISLANDS: 9/12 2003

Returned into the District Court by Grand Jurors and filed.

  
DEPUTY CLERK